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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,667	01/24/2001	Takeo Hoda	05058/02806	4380
24367	7590	01/25/2006	EXAMINER	
SIDLEY AUSTIN LLP 717 NORTH HARWOOD SUITE 3400 DALLAS, TX 75201			NGUYEN, HUY THANH	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/768,667

Applicant(s)

HODA ET AL

Examiner

HUY T. NGUYEN

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 42,44-50 and 52-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 42,44-50 and 52-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 November 2005 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

Art Unit: 2616

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 42 and 44-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tojo et al (5,737,014 in view of Kinoshita et al ((4,897,732).

Regarding claims Tojo discloses a camera having a recording/reproducing apparatus (Figs. 1,3) reproducing the images signal . The apparatus comprises:

a first storing means (20) for storing a plurality of images column 2, lines 61-65);

a second memory (7) for storing a plurality of images;

a reproducing means for reproducing the image signals from the first memory and the image signal from the second memory ; and

a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 18, lines 17-26, column 7, lines 14-20).

Tojo further reaches that the first memory is detachable but fails to teach that the second memory is fixedly installed in the camera . Kinoshita teaches a camera having a first memory detachable from the camera and a second memory that is fixedly installed in the camera (Fig. 4) .

It would have been obvious to one of ordinary skill in the art to modify Tojo with Kinoshita by using the teaching of Kinoshita for fixedly installing the second memory in the camera as an alternative method of installing the second memory in the camera .

Tojo as modified with Kinoshita further teaches a processor for receiving the image data from the first and second memories and supplying the image data the processor (31) to the reproduction device(10) ( See Kinoshita Figs, 4,6,8).

Tojo further teaches that the image pick up apparatus having body and the recorder 2 can be attached and combined with the image pickup apparatus to form a camera having a body that covers the first memory and second memory (column 9, lines 21-45).

In Remarks, applicant argues that the first memory is not detachable and install inside the body of the camera since the first memory is attaches to the camera when needed . In response, the examiner disagrees . It is noted that at column 2, lines 50-55, Tojo teaches that the camera comprises a imager 1 and recorder 2 and when the recorder 2 is attached to the image 1 the body of the camera that formed by body of imager 1 and recorder 2 covers the first memory and the first memory is inside the camera body.

In Remarks, applicant argues that the combination of Tojo and Kinoshita does not teaches a processor as recited in claims . In response the examiner disagrees. It is noted that Kinoshita teaches a processor (31) for receiving the image data from first memory )7) and a second memory 20eoso teaches Applicant argues that .

In Remarks applicant argues that the combination would make the modified Tojo camera to be unsatisfactory device . In response the examiner disagrees. Since choosing a fixed memory or a removable memory for a camera is merely call for

selecting a well known installation method for memory . The combination of Tojo and Kinoshita suggest by Kinoshita. Kinoshita teaches a camera using a removable memory and with fixed memory for capture image . Further it is noted that the claims do not specify when and how a tourist uses the claimed camera to capture image data into the first memory and second memory . Further it is noted that both Tojo and Kinoshita teach using the camera , first memory and second memory in a single camera apparatus for recording, reproducing and editing the image data when needed.

4. Claims 50 and 52-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tojo et al in view of Kinoshita as applied to claims 42 and 44-49 above, further in view of Pfeiler et al (4,709,385) .

Regarding claims 50 and 52-55, Tojo discloses a recording/reproducing apparatus (Fig. 1) reproducing the images signal . The apparatus comprises:

a first storing means (7) installed inside the camera body for storing a plurality of images column 2, lines 61-65);

a second memory (20) installed inside the camera body for storing a plurality of images;

a reproducing means having electrical connections to the first storing memory and second memory for reproducing the image signals from the first memory and the image signal from the second memory ; and

a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 18, lines 17-26, column 7, lines 14-20).

Tojo fails to teach the use of a buffer memory for storing the image from the first memory or second memory Pfeiler teaches an apparatus having a memory receiving the images from one of two memories (8,9) (Fig. 1, image memory 12) via electrical connections . Therefore, it would have been obvious to one of ordinary skill in the art to modify Tojo by using a memory as taught by Pfeiler for storing the image signals from the first memory or second memory in order to easily control the timing of the image signal to be output to another device.

Tojo as modified with Kinoshita further teaches a image processor for receiving the image data from the first and second memories and supplying the image data the processor (31) to the reproduction device(10) ( See Kinoshita Figs, 4,6,8).

5. Claims 42 and 44-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taka (5,162,833) al in view of Sasaki et al (5,034,804).

Regarding claims 42- 43 and 44-49, Taka discloses a camera having a body recording/reproducing apparatus (Fig. 1 ) for recording and reproducing the image signal . The apparatus comprises:

a first storing means (10) installed inside the camera body for storing a plurality of images (column 3, lines 53-65)column 2, lines 61-65) ;

a second memory (12) installed inside the camera body for storing a plurality of images;

an image processor (14,16);

a reproducing means (14,16) for reproducing the image signals from the first memory and the image signal from the second memory ; and

a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 8, lines 38-42, column 12, lines 55-60).

Taka teaches first memory and second memory are installed in the camera body since , at columns 3 and 4, Figs. 1 and 2 , Taka teaches the internal circuits inside the camera including the first memory and second memory and buttons mount on camera body used for operating the first memory and second memory .

Taka fails to specifically teach that the first memory is detachable from the camera body . However, it is not that using detachable memory for storing the images is well known in the art as taught by Sasaki . Therefore, it would have been obvious to one of ordinary skill in the art to modify Taka with Sasaki by using a detachable memory as an alternative to the first memory of Taka for storing the images in order to easily replace or use or reuse the first memory when needed.

Applicant argues that the combination of Taka and Sasaki fails to teaches the claimed image processor . In response the examiner disagrees. It is noted that Taka at figure 1 teaches an image processor 14,16 receiving the image data from the first and second memories and reproduction device (18) .

6. Claims 50 and 52-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taka (5,162,833) in view of Sasaki et al (5,034,804) and Pfeiler et al (4,709,385).

Regarding claims 50 and 52-55, Taka discloses a camera having a recording/reproducing apparatus (Fig. 1) for recording and reproducing the image signal. The apparatus comprises:

- a first storing means (10) installed inside the camera body for storing a plurality of images (column 3, lines 53-65)column 2, lines 61-65) ;

- a second memory (12) installed inside the camera body for storing a plurality of images;

- a reproducing means (14,16,18) for reproducing the image signals from the first memory and the image signal from the second memory ;

- an image processor (14,16); and

- a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 8, lines 38-42, column 12, lines 55-60).

Taka teaches first memory and second memory are installed in the camera body since, at columns 3 and 4, Figs. 1 and 2, Taka teaches the internal circuits inside the camera including the first memory and second memory and buttons mount on camera body used for operating the first memory and second memory.

Taka fails to specifically teach that the first memory is detachable from the camera body. However, it is not that using detachable memory for storing the images

Art Unit: 2616

is well known in the art as taught by Sasaki . Therefore, it would have been obvious to one of ordinary skill in the art to modify Taka with Sasaki by using a detachable memory as an alternative to the first memory of Taka for storing the images in order to easily replace or use or reuse the first memory when needed.

Taka fails to teach the use a memory for receiving the images from the first memory or second memory.

Pfeiler discloses an apparatus for reproducing the image having a memory (12) for receiving the image signal to be reproduced on a display from one of two other memories via electrical connections (8 and 9).

It would have been obvious to one of ordinary skill in the art to modify Taka with Pfeiler by using a memory as taught by Pfeiler for receiving the image from the first or second memory in order to easily control the timing of the image to be reproduced on a display.

Applicant argues that the combination of Taka and Sasaki fails to teaches the claimed image processor . I response the examiner disagrees. It is noted that Taka at figure 1 teaches an image processor 14,16 for receiving the image from the first and second memories and reproduction device (18)

7. Claims 42 and 44-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al (4,897,732) in view of Takahashi (5,067,029).

Regarding claims Kinoshita discloses a camera having a recording/reproducing apparatus (Fig. 1,3 column 3-4) for reproducing the images signals from the memories of the camera . The apparatus comprises:

- a first storing means (20) for storing a plurality of images (column 2, lines 61-65);

- a second memory (7) for storing a plurality of images (column 4, lines 60-65);

- an image processor (31) and a reproduction device (10) ( Figs. 4,6,8);

- a reproducing means(10) for reproducing the image signals from the first memory and the image signal from the second memory (column 3, lines 1-10 lines 60-68); and

- a changer means (14,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 18, lines 17-26, column 7, lines 14-20).

Kinoshita further reaches that the first memory is detachable and second memory is fixed (Fig. 4). Kinoshita fails to specifically teach that the first memory is installed inside the body of the camera . Takahashi teaches a camera that having first memory and a second memory for storing the images, the second memory is detachable and inside the body of the camera (column 10, lines 29-40, Fig. 10) as an alternative arrangement of the second memory for the camera . Therefore, it would have been obvious to one of ordinary skill in the art to modify Kinoshita with Takahashi by using the teaching of Takahashi for mod the camera body of Kinoshita and the first

memory and to arrange the first memory to be detachable and is inside the body of the camera as an alternative arrangement of the first memory for the camera .

8. Claims 50 and 52-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al (4,897,732) in view of Takahashi (5,067,029) and Pfeiler et al (4,709,385).

Regarding claims 50 and 52-55, Kinoshita discloses a camera having a recording/reproducing apparatus (Fig. 1, column 3-4) for reproducing the image signals from the memories of the camera . The apparatus comprises:

- a first storing means (20) for storing a plurality of images (column 3);
- a second memory (7) for storing a plurality of images (column 4, lines 60-65);
- an image processor (31) and a reproduction device (10) , Figs. 4,6,8)
- a reproducing means for reproducing the image signals from the first memory and the image signal from the second memory (column 3, lines 1-10 lines 60-68); and
- a changer means (14,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively.

Kinoshita further teaches that the first memory is detachable and second memory is fixed . Kinoshita fails to specifically teach that the first memory is installed inside the body of the camera .

Takahashi teaches a camera that having first memory and a second memory , wherein the second memory can be detached or inside the camera body (column 10, lines 29-40, Fig. 10) as an alternative arrangement of the second memory. Therefore, it would have been obvious to one of ordinary skill in the art to modify Kinoshita with Takahashi by using the teaching of Takahashi for modify the camera body of Kinoshita to arrange the first memory to be detachable from the camera body as an alternative arrangement of the first memory .

Kinoshita as modified with Takahashi further teaches a image processor for receiving the image data from the first and second memories and supplying the image data to the processor (31) to the reproduction device(10) ( See Kinoshita Figs, 4,6,8)

Kinoshita fails to teach the use of a buffer memory for storing the image from the first memory or second memory Pfeiler teaches a camera having a memory receiving the images from one of two memories (8,9) (Fig. 1, image memory 12) via electrical connections . Therefore, it would have been obvious to one of ordinary skill in the art to modify Kinoshita by using a memory as taught by Pfeiler for storing the image signals from the first memory or second memory in order to easily control the timing of the image signal to be output to another device.

### ***Response to Arguments***

9. Applicant's arguments filed 14 November 2005 have been fully considered but they are not persuasive.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N

  
HUY NGUYEN  
PRIMARY EXAMINER